

THE  
CASE  
OF THE  
ROMAN CATHOLICS,

FAIRLY STATED AND DISCUSSED.

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NOTES ON THE

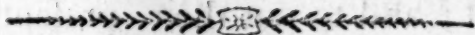
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**T**HE Roman Catholics now say, that their loyal and peaceable deportment for 100 years, should entitle them to a full participation of all the rights and privileges of protestant subjects; they defy any person to produce an instance of the contrary. I will give them a remarkable one, which occurred in the year 1729, and is to be found in the 6th vol. of the journals of the house of commons\*. By an information sworn before lord Doneraile and John Love, Esq. two justices of the peace for the county of Cork, by one father Henesy, parish priest of Doneraile, it appears, that informant being in company with Connor Keef, popish Bishop of Limerick; Francis Lloyd, Bishop of Killalloe; and Doctor Stones, a Franciscan Fryar of Dublin, at the house of Teigue Mc Carthy, alias Rabah, the Bishop of Cork and Cloyne; when the said Keefe and Lloyd delivered a letter to said Carthy from Christopher Butler, titular Archbishop of Cashel, acquainting him, that the Pope complied with the Archbishops and Bishops of Ireland, and that his holiness had granted an indulgence

\* See the old edition.

for ten years, in order to raise money to be speedily applied to restore King James the 3d to his right; and to put their present majesties, and all the royal family to the sword. That soon after informant received a letter, and a copy of the Pope's Bull, from his said Bishop, with directions to obey it. The purport was as follows:—"That every communicant, duly confessing, and receiving upon the patron days of every respective parish, and any Sunday from the 1st of May to September having repeated the Lord's prayer five times, and once the apostles creed, upon paying two pence each time, was to have a plenary indulgence for his sins; and all approved confessors had full power to absolve them in all cases, with intent that God would speedily place King James 3d on the throne of England. That the parish priests were to pay the money so collected, and £.5 of their own, to their respective Bishops, who were to swear them to a true account of what they collected. That the said Bishops were to pay the money so received to the agents of each province, who were to remit the same to the Pretender's friends in England, Germany, France, and Spain. That Joseph Nagle and said Francis Lloyd were the two agents for Munster. That Garret Nagle, brother to said Joseph, at that time lived in Flanders, and transacted the Pretender's affairs there.

there. That said McCarthy said, there was no sin in wronging King George of his duties, for as he had no right to the crown, he had none to the duties \*"

That said McCarthy having a quarrel with informant, endeavoured to have him transported for being a priest, lest he might discover this plot. The veracity of Henesy is corroborated by the following facts:—as soon as the votes of the house of commons were seen at Doneraile, (by which it appeared, that original papers seized in Cork, relative to this affair were to be examined) twelve men entered the house of Henesy, who lay ill of an ague, and carried him off; and it is to be presumed he was sacrificed for the sake of the holy Church. That Mr. Love, by orders from government, searched the lodgings of said Joseph Nagle in Cork, and on entering them, he was told triumphantly by Nagle, that he had three days notice, and had time to remove all material papers. However, Mr. Love discovered some letters from a Mr. Wolfe to Joseph Nagle, which prove, that a second collection was made in the year 1731; and he found letters from some of the said popish Bishops to Father Henesy, which are set forth in the Journals, and which confirm his evidence.

\* It is to be presumed that \_\_\_\_\_ acted under the sanction of his Bishop, when he made free with the revenue of a heretical Prince.

By

By this it appears, that the popish Bishops of Ireland formed a conspiracy for deposing, and even for murdering their sovereign, George the 2d, and his family, which was sanctioned by the Pope, who also empowered them to absolve their flock from their sins, in order to raise a fund for this horrid purpose. The means were as infamous as the end. But we shall not be surpris'd at it, when we consider the doctrines contained in the oath, which every popish Bishop takes at his consecration. *Jura, Honores, Privilegia, et auctoritatem sanctæ Romanæ Ecclesiæ domini nostri Papæ et Successorum prædictorum, conservare, defendere, augere, et promovere curabo. O Hereticos, Schismaticos et Rebelles eidem domino nostro vel Successoribus prædictis proposse persequar et impugnabo.*

The rights, honors, privileges, and authority of the holy Roman church, and of our lord the Pope, and his successors aforesaid, I will be careful to preserve, defend, enlarge, and promote; and all heretics schismatics, and rebels against our said lord and successors, aforesaid, I will to the utmost of my power persecute and oppose.

Father O' Leary and others have quibbled on the word *persequar*, and have insisted, that the real acceptation of it, is to *combat* and *oppose* the errors of heretics by argument, for the purpose of converting them.

But

But the application of it by Cicero, in his 4th oration against Cataline, will leave no doubt in the mind of the reader. *Atque illo tempore hujus avus Lentuli clarissimus vir armatus Gracchum est persecutus; Ille etiam grave tum vulnus accepit.*

Let us examine the papal exposition of it. When pope Paschal the 2d excommunicated the emperor Henry IV, he called upon Robert count of Flanders to attack him. *Henricum hæreticorum caput et ejus fautores pro visibus persequaris et impugnes, hoc tibi et multis tuis præcipimus.* Paschal 2, Eps. 7, Bin. Tom. 7, p. 517.

I shall submit to the judgment of every disinterested person, whether such an oath does not clash with the tenor of the oath of allegiance, prescribed by law to be taken to our king, while a Protestant.

The opinion of the Pope's legate at Brussels in the year 1768, on an oath of allegiance to our king, will shew us how far obligatory it is considered on Roman catholics. When such an oath, to be taken by the Roman catholics of this kingdom, was in contemplation in the year 1768, the Pope's legate, then resident at Brussels, addressed letters to the four titular Metropolitans, containing severe strictures on it. Thomas Burke, titular bishop of Ossory, who wrote the history of the Dominican order in Ireland, and published

lished it in the year 1772, in his Hibernia Dominicana, says, " That he considers those letters so precious, that he calls them, *literæ vere aureæ cedroque dignæ* ; really golden, and worthy to be preserved in Cedar."

The legate treats the clauses in the oath, containing a declaration of abhorrence and detestation of the doctrines, that faith is not to be kept with heretics, and that princes deprived by the Pope, may be deposed or murdered by their subjects, as absolutely intolerable; because he says this doctrine is defended and contended for, by most catholic nations; and the Holy See has frequently followed the practice of it. He finally decides, that as the oath is in its whole extent unlawful, so in its nature it is invalid, null, and of no effect, inasmuch that it can by no means bind and oblige consciences.

It is well known that similar decisions have been uniformly made by successive Popes on oaths repugnant to the interests of the Roman see. And I could give many instances where the Popes have taken upon them, to absolve the subjects of a whole kingdom from the obligation of an oath.

By the treaty of Westphalia concluded in the year 1648, considerable advantages were obtained for the protestant powers, and the Roman catholic princes were sworn to adhere to it, but pope Innocent the 10th published

lished a flaming bull against it, and absolved the Roman catholic princes from the sin of adhering to it. See Hombeck's *Examen bullæ Papalis, quæ Innocentius 10th abrogavit nititur pacem Germaniæ.*

The granting absolution by the court of Rome, was so common a practice, and such a certain source of revenue, that a regular schedule, like the book of rates of the Custom-house, was formed, containing every sin that a person could commit, with the penal sum annexed and apportioned according to the atrocity of it.

This work was entitled, The Taxes of the Romish Chancery.

The Roman see ashamed of it, condemned it, merely because they said, it had been adulterated, but they never disavowed it altogether.

Pope Alexander the 7th in the list of prohibited books calls it, *Praxis et Taxa officinæ penitentiae papæ ab Hereticis depravata.*

But the many editions of it printed for the use of different catholic countries, prove beyond a doubt the authenticity of it; one was printed at Rome in 1514; one at Cologne in 1515; three at Paris in 1520, 1545 and in 1625; one at Venice in the 6th volume of the *Oceanus Juris* in 1533, another in the 15th volume of the same collection in 1584, but the edition printed at Rome in the *Campus Floræ*

*Floræ*, by *Marcellus Silber*, under the Pope's eye, proves the authenticity of it beyond a doubt. Besides the protestant princes published it, and inserted it among their reasons for rejecting the council of Trent. See *Heideggeri Myster Baby. Tom. 2d, page 350.*

But, suppose even that the court of Rome had condemned it altogether, is not its practice this day, in remitting sins for money, conformable to it.

*Non tamen intus*

*Digna geri promes in scenam, multaue tolles*

*Ex oculis, quæ mox narret facundiæ præfens.*

HORACE.

Let us now examine part of the contents of it. The absolution of him, who has lain with his mother, sister, or other relation either in consanguinity or affinity is taxed at Gr. 5. The absolution of him who has deflowered a virgin Gra. 6 : The absolution of all acts of fornication committed by a clerk in what manner soever, whether it be with a nun within or without the limits of the Nunnery, or with his relations in consanguinity or affinity, or with any woman whatsoever, and whether the absolution be given in the name of the clerk himself, or jointly with his whores, and with a dispensation to take orders and benefices, costs 36 Livers Tournois,

If

If the absolution be for a crime against nature, though with brute beasts, 90 Livers Tournois.

A nun having committed fornication several times, shall be absolved and enabled to hold the dignities of her order, even that of abbess, on paying 36 Livers Tournois and 9 Ducats.

The same titular bishop Burke in his observations on an oath, to be taken by popish priests, maintains the same doctrine as the cardinal legate.

Would it not exceed the greatest imaginable absurdity, that a catholic priest should swear fidelity to king George, as long as he professeth a heterodox religion, or has a wife of that religion, and that then and in that case, the same catholic priest ought instantly to abjure the very king, to whom he had sworn allegiance. Impiety most horrible. See *Hibernia Dominicana*, by Thomas Burke, titular bishop of Ossory, published in 1772.

Hence it appears that the exceptionable tenets of popery, for which those who profess it were excluded from national confidence, in most of the protestant states in Europe, have been avowed so late as the year 1768, by a Cardinal legate, an Oracle of the Holy See, and in the year 1772, by a titular bishop of Ireland.

It would stagger credulity itself, to believe that the Roman catholics of Ireland, who

were ever more warmly devoted to the See of Rome, than those of any other nation, would so soon eject from their minds doctrines, which the Roman pontiff still maintains, and which their bishops must positively swear, at their consecration, to support. With singular pertinacity, the Roman pontiff has strove to uphold the unity of the holy Apostolic Church; is it to be supposed then, that the Irish bishops, who swear to preserve, defend, enlarge, and promote its rights, honors, privileges, and authority, would sincerely suffer their flock to violate it so materially?

I defy any person to prove, that the Roman See has ever renounced, or even abated any of the abominable doctrines, which it formerly maintained and exercised, so destructive of the power of temporal princes, and of the peace of protestant governments. They are still lurking in grim repose in the Vatican.

Admitting that the opulent and respectable Roman catholics, who recently signed protests, were sincere, yet, they have not renounced one tenet, which was always maintained in their Church, and which is not only repugnant to the Christian religion, but subversive of all moral order; that heretics, meaning protestants, can never enter into a state of salvation.

It was inculcated in a Catechism published at Clonmell, within these few years by Doctor  
Butler,

Butler, titular Archbishop of Cashell. He, that believes that his fellow subject lives constantly under the frowns of the Almighty, and will be doomed hereafter to eternal damnation, will think he is promoting his own salvation, every time he injures him, or the established Church.

It is certain that this venomous doctrine has poisoned the minds of all the lower class, and the unenlightened portion of Roman catholics. How inconsistent then is the conduct of the popish Clergy; for they tell you that they wish to unite their flock with those of the established Church in close bonds of unity, by procuring for them the utmost degree of national confidence, at the same time that they are endeavouring to render them a heterogeneous mass, as immiscible in principle and affection with protestants, as oil and water.

There is not a protestant of the age of 20 years in Ireland, that has not at some time or other of his life, heard this doctrine avowed by Roman catholics: When a papist succeeds a protestant in the occupation of a house, he takes care to have it purified by sprinkling it with holy water.

We are not to judge of the religious opinions of a nation as influencing their moral conduct, from those of a few opulent and enlightened individuals, we are to deduce it from those of the mass of the people.

We

We know it to be an unquestionable fact, that the latter are universally infected with the poison which I have mentioned ; and if we are to believe the Cardinal legate, who had the superintendence of the English and Irish Churches, and Father Burke, titular bishop of Ossory, an oath of allegiance, taken by a papist to a heretical prince, is not binding on his conscience. The case then briefly stands thus : The Irish papists acknowledge the Roman pontiff to be supreme head and director of their Church in spirituals ; and we are to suppose, that the Cardinal legate and Father Burke, a titular bishop, spoke according to the express dictates of the holy see.

Such of the Irish nation, who have taken oaths of allegiance, (and they are but few indeed compared to the multitude) must either have separated from the holy Church, or must have considered the oath null and void, according to the legate's opinion ; but if they deemed it obligatory without such separation, they must have obtained a dispensation before hand for taking it, or an absolution afterwards from the tie, which it imposed, and from the sin which they incurred by taking it.

Those, who have ever visited Rome, cannot but know, that dispensations and indulgences for sins past and to come, are sold there as common as Rosaries or modern Antiques. *Omnia Romæ cum Pretio.* Juvenal.

Robert

Robert the 1st of France, in the 10th century was excommunicated for marrying, without a dispensation, his relation, though she was related to him but in the 4th degree, and though such a marriage is not prohibited by the Levitical law; and yet, one of the house of Braganza obtained a dispensation, within a few years, to marry his niece.

If the right of granting it, and its efficacy to remove the guilt of sin, be admitted in any one instance, it may be extended *ad infinitum*\*. It will be impossible to draw a line. It may then be asked, are the Irish catholics ever to be admitted to an equal participation of political advantages?—I think they ought not, till they have renounced, in a more satisfactory manner, the deleterious doctrines to which I have alluded; and for this purpose, I would recommend to the Irish prelates, to frame an oath to the following purport, which oath should be required by act of parliament, to be taken by every Romish clergyman before he can exercise any sacred function whatsoever.

Let it comprehend the usual acknowledgements of allegiance and abjuration: Let it

\* A small book containing 50 reasons why the popish religion is to be preferred to any other, has the following remark in the 47th chapter, in speaking of the protestant ministers, "They are not really priests, since they have not power to forgive sins, which is the main office of priestly dignity."—This curious book is to be found in the possession of most of the popish farmers and peasants.

declare

declare that they do not believe that the Pope or any prelate or priest can absolve from sin, and that sorrow and attonement to God and the injured neighbour are indispensable requisites to obtain forgiveness of sin. That they do not believe that a breach of faith, or any injury or hostility against any person whomsoever can be justified by reason, or, under pretence that such a person is a heretic or infidel. That they do not believe that protestants of the established Church, or any other sect, who profess the Christian religion, are to be damned hereafter. That they acknowledge no infallibility in the Pope. Let them also swear, that they will on all occasions instruct their flock in the beforementioned doctrine in the clearest and most unequivocal manner; and let it be required by said act, that every parish priest shall read aloud from the Altar, before the celebration of Mass, four times in in the year, on some remarkable feast days, the said oath, accompanied with a declaration, that the doctrines contained therein are believed and taught by the Irish clergy of the Romish Communion.

Should the Roman catholics of Ireland exhibit such a proof of the rectitude of their religious and political principles, they may with a good grace apply to the legislature for an extension of their privileges. They insist, that the protest, which many of them have  
signed

signed, is a sufficient proof of it. It is hard to doubt the sincerity of so many respectable persons.

At the same time, the singular distinction, made by the Roman catholic prelates in England, between an oath and a protestation, of the same import, has a very questionable appearance. I will state that transaction as briefly as possible: On the 3d day of May, 1787, the clergy and laity of that persuasion in England formed a general Committee, which assembled and continued to sit in London, for the purpose of watching over, and promoting the interest of their body.

They made an application to Parliament for a repeal of many of the penal laws, grounded on a solemn declaration and protestation, by which they endeavoured in the most explicit terms, to evince the purity of their religious and political principles.

With this view, and under the sanction of their vicars apostolic, and all their coadjutors, the protestation was signed by their prelates, and above 200 of their clergy, and by almost every respectable Roman catholic in England.

The minister of England required, that they should convert the protestation into the

form

form of an oath\*. They then agreed to refer the affair to Mr. Bernard on the part of the prelates, and to Sir Henry Inglefield on that of the committee; but one of the bishops rose from his seat, and said, that discussion was of no consequence, the question was, whether they would submit?

This unexpected and peremptory requisition filled the Committee with astonishment; they requested to have it reduced to writing; the bishop gave it in the following words: Whether the Committee intended to submit or to proceed further in the business of the bill, without the approbation of the bishops.

To the above question the reply of the committee was, We have the greatest respect for episcopal authority; and are always disposed to obey its decisions, when applied to proper objects, and confined within proper limitation; but we say with *St. Leo. Manet petri privilegium ubicunque ex ipsius æquitate fertur judicium*.

The requisition of submission, made by the two apostolic vicars, appears in the present instance not grounded in equity.

No proof of the proposed oath's containing any thing contrary to faith or morals, has

\* The oath is inserted at the end hereof, and every body must allow, that any subjects, who refuse to take it, are not entitled to national confidence.

been

been produced; and we cannot acquiesce in the requisition, without containing, encreasing, and confirming the prejudices against the faith and moral character of the catholics, and the scandal and oppression under which they labour in this kingdom.

We therefore refuse to submit to the above requisition, and we give your Lordships notice, that we shall appeal from it to all the catholic churches in the universe, and especially the first of catholic churches, the Apostolical See, rightly informed.

Signed by

|                    |                    |
|--------------------|--------------------|
| Charles Berington, | H. C. Englefield,  |
| Jos. Wilks,        | John Throckmorton, |
| Stourton,          | John Towneley,     |
| Petre,             | Thomas Hornyhold.  |

Notwithstanding this declaration, we still request your Lordships to say, whether you will suggest any addition or qualifying explanation, which can be admitted consistently with the instrument of protestation, signed by the apostolic vicar, more than two hundred of the clergy, and almost every respectable catholic in England, and we will exert our best endeavours in negotiating the admission of such an addition or qualifying explanation.

Signed by

|                    |                    |
|--------------------|--------------------|
| Charles Berington, | H. C. Englefield,  |
| Jos. Wilks,        | John Throckmorton, |
| Stourton,          | John Towneley,     |
| Petre,             | Thomas Hornyhold.  |

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This

This our answer and request we delivered to your Lordships.

After some further discussion, you, my lord bishop of Centuria, said you intended it should have been an amicable conference, and moved that the question and answer might be thrown into the fire.

You, my lord bishops of Ancanthos and Centuria, were asked, if you would retract the requisition, and both refused to retract it.

Therefore, my lord bishop of Rama, vicar apostolic of the Western District, my lord bishop of Acanthos, vicar apostolic of the Northern District, my lord bishop of Centuria, vicar apostolic of the Southern District, your lordships having brought matters to this point; convinced, that we have not been misled by our clergy; convinced, that we have not departed from the principles of our ancestors; convinced, that we have not violated any articles of catholic faith or communion; we, the catholic committee, whose names are here under written, for ourselves, and for those in whose trusts we have acted, do hereby, before God, solemnly protest, and call upon God to witness our protest, against your lordships *encyclical letters* of the 21st day of October, 1789, and the 21st of January last, and every clause, article, determination, matter, and thing therein respectively contained, as imprudent, arbitrary and unjust; as a total misre-

misrepresentation of the nature of the bills to which they respectively refer, and the oaths therein respectively contained ; and our conduct relating thereto respectively, as encroaching on our natural, civil and religious rights ; inculcating principles hostile to society and government, and the constitution and laws of the British empire ; as derogatory from the allegiance we owe to the state, and the settlement of the crown ; and as tending to continue, encrease and confirm the prejudices against the faith and moral character of the catholics, and the scandal and oppression under which they labour in this kingdom.

In the same manner we do hereby solemnly protest, and call upon God to witness this our solemn protest, against all proceedings had, or hereafter to be had, in consequence of, or grounded upon your lordships said *encyclical letters*, or either of them, or any representation of the bills or oaths therein respectively referred to, given or to be given by your lordships or any of you.

And, from your lordships said *encyclical letters*, and all proceedings had or hereafter to be had, in consequence of, or grounded upon, any representations of the said bills, or oaths, or either of them, given or to be given by your lordships, or any of you, We do hereby appeal, and call upon God to witness our appeal, for the purity and integrity of our  
religious

religious principles, to all the catholic churches in the universe, and especially to the first of catholic churches, the Apostolical See, rightly informed.

Signed by

|                    |                    |
|--------------------|--------------------|
| Charles Berington, | John Lawson,       |
| Jos. Wilks,        | John Throckmorton, |
| Stourton,          | William Fermon,    |
| Petre,             | John Towneley,     |
| H. C. Englefield,  | Thomas Hornyhold.  |

The committee having continued to sit, four of the popish bishops who were vicars apostolic, addressed a letter to all the Roman catholics of England, condemning the oath, and inhibiting them from taking it.

Encyclical letter, addressed, To all the faithful both the clergy and laity, in the four districts of England, by the four vicars Apostolic, Charles Ramathen, James Birthan, Thomas Acon, Matthew Comanen.

“ Dearly beloved brethren and children in Christ,

“ We think it necessary to notify to you, that, having held a meeting on the 19th of October, 1789, after mature deliberation and previous discussions, we unanimously condemned the new form of an oath, intended for the catholics, published in Woodfall's Register, June 26th, 1789, and declare it unlawful to be taken.

“ We

" We also declared, that none of the faithful, clergy or laity, under our care, ought to take any new oath, or sign any new declaration, in doctrinal matters, or subscribe any new instrument wherein the interests of religion are concerned, without the previous approbation of their respective bishop.

" These determinations we judged necessary, to the promoting of your spiritual welfare, to fix an anchor for you to hold to, and to restore peace to your minds. To these determinations therefore we request your submission.

|                                                  |   |                                                                                    |
|--------------------------------------------------|---|------------------------------------------------------------------------------------|
| <p><i>Hammersmith,</i><br/>October 21, 1789.</p> | } | <p>Charles Ramaten,<br/>James Birthan,<br/>Thomas Aconen,<br/>Matthew Comanen.</p> |
|--------------------------------------------------|---|------------------------------------------------------------------------------------|

Three of the vicars apostolic addressed a similar letter of the same import, to the catholics of England. *Encyclical letter*

Charles, bishop of Rama, vicar apostolic of the western district, William, bishop of Acanthos, vicar apostolic of the northern district, and John, bishop of Centuria, vicar apostolic of the southern district.

To all the faithful, clergy and laity of those respective districts,

" We think it necessary to lay before you the following articles and determination.

1st. We are informed that the catholic committee have given or intends to give in

a bill containing an oath, to be presented to parliament, in order to be sanctioned by the legislature, and the oath to the catholics of this kingdom.

2dly. The four apostolic vicars, by an encyclical letter, dated October 21, 1789, condemned an oath proposed at that time to be presented to parliament, and which oath they also declared unlawful to be taken. Their condemnation of that oath was confirmed by the apostolic see, and sanctioned also by the bishops of Ireland and Scotland.

3dly. Some alteration has been made by the catholic committee in that condemned oath; but, as far as we have learned, of no moment; consequently the altered oath remains liable to the censure fixed on the former oath.

4thly. The four apostolical vicars, in the above mentioned encyclical letter, declared, that none of the faithful, clergy or laity, ought to take any new oath, or sign any new declaration in doctrinal matters, or subscribe any new instrument wherein the interests of religion are concerned, without the previous approbation of their respective bishop, and they required submission to those determinations. The altered oath has not been approved of by us, and therefore cannot be lawfully or conscientiously taken by any of the faithful of our districts.

5thly.

5thly. We further declare, that the assembly of the catholic committee has no right or authority to determine on the lawfulness of oaths, declarations, or other instruments whatsoever containing doctrinal matters; but that this authority resides in the bishops, they being by divine institution, the spiritual governors of the church of Christ, and the guardians of religion. In consequence likewise of the preceding observations, we condemn in the fullest manner, the attempts of offering to parliament an oath, including doctrinal matters, to be there sanctioned, which has not been approved by us; and, if such attempts be made, we earnestly exhort the catholics of our respective districts to oppose it, and hinder its being carried into execution; and for that purpose to present a protestation or counter-petition, or to adopt whatever other legal and prudent measure may be judged best.

Finally. We also declare, that, conformably to the letter written to the catholic committee by the four apostolic vicars, October 21, 1789, we totally disapprove of the appellation of *Protesting Catholic Dissenters* given us in the bill, and of three provisos therein contained and expressed in the said letter of the four apostolic vicars.

We shall here conclude, with expressing to you our hopes, that you have rejected with detestation some late publications, and that  
you

you will beware of others, which may appear hereafter. Of those that have been published, some are schismatical, scandalous, inflammatory, and insulting to the supreme head of the church, the vicar of Jesus Christ.

*London*, Jan. 19, 1791. Charles Ramaten,  
William Acanthen,  
John Centurien.

James Talbot, vicar apostolic of the London district (since dead), retracted his dissent, and gave his approbation of the oath.

The committee incensed at such treatment, published a spirited answer to those Encyclical letters, and a defence of their conduct. I will give the reader some part of it.

They say that having given God and the nation such solemn pledges of their religious and political integrity, shame be upon those who dare to call in question either the one or the other; they scorn slander, they know that they are good catholics, and good subjects. That oath, which was grounded on the protestation, signed but a few months ago, by the vicars apostolic, all their coadjutors, and with a few exceptions indeed, by all their clergy; that oath my lords, without a specification of one single objectionable clause, was pronounced by your lordships to be unlawful, and our conduct respecting it censured.

Thus, my lords, in our regard no preliminaries of form or right were attended to,  
no

no measure of conciliation was used, no instruction was vouchsafed, in which of the articles of the oath the error attributed to lay, was not pointed out to us ; we were not permitted to explain it ; no opportunity was given us to defend our conduct. Is it possible to suppose, our heavenly master inspired a conduct so opposite to his own spirit of prudence, meekness, conciliation, and justice ? or that your lordships spoke the language of the church, when you acted in a manner so little conformable to its practice ? The utmost attention and respect we have ever, and shall ever pay, when you deliver to us the solemn decisions of the church ; when you exhort, persuade, or instruct, we know you are within the sphere of your pastoral duty ; but when you deliver mysterious oracles, and undertake to silence reason, and preclude discussion, by your encyclical letters, we cannot but recollect that God, and the whole collective body of the church alone, are possessed of the right of expounding articles of belief.

To support your lordships requisition to submission, the only argument brought by your lordships is, that you are vicars apostolic of this country, and are therefore the highest authority in it. Your decrees, therefore, till they are reversed by a higher authority, must be submitted to. The constitution of the church, and the history of every age, and al-

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most

most every realm of Christendom, prove the erroneoufness of this proposition.

They then proceed to shew instances of heresies and inconsistencies, sanctioned by some popes, which were afterwards renounced and condemned by subsequent popes and councils. They mention in particular the heresy of Arius, which so many bishops, archbishops, patriarchs, provincial councils, and synods authorised; might not then each of such unhappy prelates have addressed their flocks in the same language which you have? that your decisions are absolute till they are reversed by a still higher authority, and such conduct would have justified them in denying the divinity of Christ.

From the opening of the business, the vicars apostolic insisted, that there was no necessity of giving the reasons for their censures; but upon being closely pressed, they mentioned some passages they objected to, and a discussion ensued on the meaning of the word *persons* in the oath, which involved in it the material question, "whether the words of the oath were to be taken in their scholastic or ordinary sense?" On this strange distinction about the interpretation of an oath, which may admit of latent meanings, and mental reservations, worthy of the court of Rome, the committee offered to submit to the opinion of two common lawyers, two civilians,

vilians, and two catholic lawyers, whether by the whole of the clauses respecting the right of interference (alluding to the Pope's interference in temporals) any thing could be meant to affect the rights of conscience, or the spiritual effects of spiritual censures. But the prelates reject the proposal, and assert, that the opinion of the lowest priest in the church is to be preferred to that of the most learned among the laity, in spiritual concerns.

This absurd assertion proves that ignorance is the only element, in which the absurd doctrines of the church of Rome can exist.

The Romish canon law is full of constitutions to this effect: When things of God are treated of, the king must subject his will to the will of the priests, and not prefer it before theirs. *Decret.* 1st. *Dist.* 10th. *Capt.* 3.

The committee made this observation on it: Surely there have been priests, whose writings are not to be preferred to those of Minutius Felix, Lactantius, the two Barclays, or even our illustrious Woodhead.

The opinion of Mr. Hill, his Majesty's premier serjeant, on a case laid before him, was, that the words of the oath denied only the Pope's having a temporal power, or a right to enforce their spiritual authority by temporal power.

Mr. Hill is allowed to be one of the ablest common lawyers in England, and to be profoundly

soundly learned in the Civil and Ecclesiastical Law.

But still the vicars apostolic continued obstinate.

The answer of the committee to their prelates contains the following observations :

“ We were called upon to sign the protestation,—we signed it, both clergy and laity.”

Are there among us, persons capable of receding from their signatures, and prostituting their honor ?

This protestation was converted into the form of an oath.

Shall we refuse to swear, when called upon by our country, what we most solemnly protest under our hand writing ?

The violation of an oath may accumulate the guilt of perjury on prevarication, but veracity is equally sacred, whether a protestation be made upon honor or upon oath.

*Tantus in te sit veri amor, ut quicquid dixeris id Furatum putes*, was the exhortation of a father of the church, and he must be destitute of christian sincerity, who thinks he is not equally bound to tell the truth without disguise, when called upon to make a solemn asseveration ; as if he had an oath officially tendered. To recede therefore from any part of the protestation would be a flagrant violation of veracity—a mortal wound to the integrity of catholics, and consequently an everlasting

lasting confirmation of the prejudice of protestants.

That our religion permits us to use duplicity and equivocation ; is it into this dishonor we are exhorted, nay, required by your lordships to plunge ? does not authority, exerted to effect this purpose, tend to destruction, not to edification ? and if such authority were submitted to, would not an undue respect for the ministers of religion, involve the ruin of religion itself ? have your lordships maturely weighed these momentous consequences ? \* I think it necessary to relate a circumstance of an extraordinary nature, which happened to a member of the committee : The rev. Mr. Wilkes, parish priest of Bath, was commanded (by his diocesan doctor Walmesly) to retract and express his abhorrence, of having resisted his superiors, under pain of being suspended from his cure. Mr. Wilkes urged with all the gentleness of expostulation, that it would derogate from him, as a man of honor and veracity, to withdraw his name from, and condemn a measure, which he had openly and deliberately supported. He assured him, that though he thought it his duty not to acquiesce in the commands of his superiors,

\* The English papists finding that the rigorous prohibition of their prelates prevented them from complying at that time with the reasonable requisition of the British minister, desisted from urging their claims for an extension of their privileges.

when

when in a public character, as one of the committee, acting for the relief of the catholic body in general; yet that the oath he had taken as a monk, obliged him on every other occasion, to pay the most implicit obedience to his superiors.

As Mr. Wilkes had very much endeared himself to his flock, by his probity, his learning, the urbanity and gentleness of his manners, the gentlemen of Bath, his parishioners, waited on doctor Walmesly in a body, and remonstrated with him, but to no effect: they then read a protest signed by them all, against his conduct, and sent it to the court of Rome; but the severe treatment Mr. Wilkes met with, evinces that it was badly received; for he was suspended and ordered to join some convent of his order on the continent; where it is presumed, if he is even still alive, that he experienced the most severe treatment.

From the whole of this transaction we may infer, that the popish prelates in England maintain a two-fold interpretation of an oath, one in its ordinary, another in its scholastic sense; and the body of Roman catholics who published and signed the answer to the encyclical letters, admit, that no two things have less relation to one another, than the language of business, and the language of the schools: but they, at the same time, acquit themselves  
very

very honorably of submitting to any such subtle or latent distinction, in these words, *my lords*; it is indisputable, that an oath must be taken in its plain and obvious sense.

As the opinion of the lowest priest in spiritual concerns, is to be preferred to the most learned among the laity; and as the interpretation of an oath is considered of a spiritual nature, a common popish priest, who is already dexterous in the art of metamorphosing one body into another, may pervert the import of an oath, and adapt it as he pleases to the interest of his church. *Ille suæ contra non immemor artis omnia transformat sese in miracula rerum.* VIRGIL.

It appears also, that the condemnation of the oath in question was confirmed by the apostolic see, and by the bishops of Ireland and Scotland. [See the encyclical letter, dated January 19, 1791; article 2d.]

The oath which a bishop swears at his consecration proves, that he is bound to defend, enlarge, and promote the rights, privileges, and authority of the holy see, and to yield implicit obedience to its commands; and as every popish priest must blindly submit to the dictates of his bishop, we may fairly conclude, that the Roman pontiff, through such a well connected and indissoluble chain, can speed and enforce his mandates to the remotest parts of the earth, where a popish hierarchy

hierarchy exists, with as much celerity and energy, as an electrician can the electric fire. He has never disavowed or renounced any of those abominable and deleterious powers, which he formerly maintained, and under the pain of perjury, the bishops are obliged to defend and promote them. He formerly fulminated openly to extend his domination; he now works by sap, and his unremitting ambition is like the worm that never dies.

*The Oath of allegiance and abjuration, and of  
protestation and declaration.*

I, *A. B.* do sincerely promise and swear,  
that I will be faithful, and bear true allegiance  
to Majesty, and I do truly  
and sincerely acknowledge, profess, testify,  
and declare in my conscience, before God and  
the world, that our sovereign  
is lawful and rightful of this realm,  
and of all other Majesty's dominions  
thereunto belonging. And I do solemnly and  
sincerely declare, that I do believe in my  
conscience, that not any descendants of the  
person who pretended to be prince of Wales,  
during the life of the late king James II. and  
after his decease, pretended to be, and took  
upon himself, the stile and title of king of  
England, by the name of James III. or of  
Scotland, by the name of James VIII. or the  
stile and title of king of Great-Britain; hath  
any right or title whatsoever to the crown of  
this realm, or any dominions thereunto be-  
longing; and I do renounce, refuse, and ab-  
jure any allegiance or obedience to any of  
them. And I do swear, that I will bear faith  
and true allegiance to Majesty  
and will defend to the utmost of my power,  
against all traitorous conspiracies and attempts  
whatsoever, which shall be made against  
person, crown, or digni-  
ty,

ty, and I will do my utmost endeavour to disclose and make known to Majesty and successors, all treasons and traitorous conspiracies, which I shall know to be against And I do faithfully and fully promise, to the utmost of my power, to support, maintain, and defend the succession of the crown, against the descendants of the said James, and against all other persons whatsoever; which succession, by an act, entitled, "An act for the further limitation of the crown, and better securing the rights and liberties of the subject;" is, and stands limited to the Princess Sophia, Electress and Duchess Dowager of Hannover, and the heirs of her body being protestants. And I do swear, that I do from my heart, abhor, detest, and abjure, as impious and heretical, that damnable doctrine and position, that princes excommunicated by the pope, or by authority of the see of Rome, may be deposed or murdered by their subjects, or any other persons whatsoever. And I do protest and declare, and do solemnly swear it to be my most firm and sincere opinion, belief, and persuasion, that neither the pope, nor any prelate or priest, nor any assembly of prelates or priests, nor any ecclesiastical power whatsoever, can absolve the subjects of this realm, or any of them, from their allegiance to his said Majesty; and that no foreign church, prelate,

prelate, or priest, or assembly of prelates or priests, or ecclesiastical power whatsoever, hath, or ought to have, any jurisdiction or authority whatsoever within this realm, that can directly, or indirectly, affect or interfere with the independence, sovereignty, laws, constitution, or government thereof; or the rights, liberties, persons, or properties of the people of the said realm, or any of them. And that no person can be absolved from any sin, nor any sin whatsoever be forgiven, at the pleasure of any pope, or of any priest, or of any person whomsoever; but that sorrow for past, resolution to avoid future guilt, and atonement to God and the injured neighbour, are indispensibly requisite to obtain forgiveness of sin; and that no breach of faith with, or injury to, or hostility against any person whomsoever, can ever be justified by reason, or under pretence that such person is an heretic or an infidel. And that neither the pope, nor any prelate, nor any priest, nor any assembly of prelates or priests, nor any ecclesiastical power whatever, can, at any time, dispense with, or absolve me from the obligations of this oath, or of any other oath, or of any compact whatsoever. And I do also, in my conscience, declare and solemnly swear, that I acknowledge no infallibility in the pope. And all these things I do plainly and sincerely declare, acknowledge, and

and swear, according to the exprefs words by me spoken, and according to the plain and ordinary sense of the same words, without any equivocation, mental evasion, or secret reservation whatsoever. And I do make the aforesaid protestation, declaration, recognition, acknowledgement, abjuration, renunciation, promise, and oath, heartily, willingly, and truly, upon the true faith of a christian. *So help me God.*

F I N I S.